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June 7, 2024

VIA ECF

Honorable Margaret M. Garnett
United States District Court Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: *Rochelle Evelyn et al. v. Rantab Enterprises Incorporated et al.*
24 Civ. 00528 (MMG)(KHP)

Your Honor:

I am a Senior Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to defend the City of New York. Defendant City writes to respectfully request an enlargement of time from June 7, 2024 to July 25, 2024 to respond to the Complaint. This is the first request for an extension. Defendant City has not had the opportunity to contact *Pro se* Plaintiffs to ascertain their position on the instant request as there is no telephone number for them on the docket and they have yet to respond to the City's written correspondence. Co-Defendant counsel, Gabrielle Apfel, consents to this request. Defendant City apologizes for the lateness of this request.

On May 20, 2024, the City provided the Court with an updated *Valentin* response and moved to compel Plaintiffs to provide executed medical releases, which was granted. ECF No. 20. The Court ordered Plaintiffs to provide executed medical releases by June 20, 2024 and the City was ordered to provide the Court with a further *Valentin* update no later than July 18, 2024. On June 3, 2024, Co-Defendants' time to respond to the *Valentin* order and complaint was enlarged to July 1, 2024 and July 25, 2024, respectively. The reason for this request is because, as set forth in the City's *Valentin* response, the City is currently investigating this matter and is unable to complete its investigation without the executed medical releases from Plaintiffs.

As such, Defendant City respectfully requests an enlargement of time until July 25, 2024 to answer or otherwise respond to the complaint.

Respectfully submitted,

Thomas Lai s/

Thomas Lai
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To: **Via ECF and Mail**

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GRANTED. Defendant City's deadline to answer or otherwise respond to the Complaint is hereby extended until **July 25, 2024**.

However, going forward, the City is hereby ORDERED to comply rule I(B)(5) of this Court's Individual Rules which not only requires extension requests to be made at least two business days prior to the original due date, but also requires the moving party to identify "any other scheduled dates that may be affected by the requested adjournment or extension." If the City had identified the June 7, 2024 deadline to answer the Complaint in its previous motion to this Court requesting relief that affected operative deadlines, *see* Dkt. Nos. 14, 20, the Court could have dealt with adjourning the deadline in its prior Order rather than the day the City's response is due. The Court's Rules apply to all parties, including government ones.

SO ORDERED. Dated June 7, 2024.



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE